

APPROVED DEVELOPMENT PLAN AMENDMENT CONDITIONS

DPA C-546-24

June 30, 2015

If it is the intent of the Board of Supervisors to approve Development Plan Amendment DPA C-546-24, on property located at Tax Map parcels 77-1 ((1)) 75A, 75B, 75C, and 75D, to permit the addition of a fast food restaurant with drive-through, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions as they pertain to this site.

1. This Development Plan Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Development Plan Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Development Plan Amendment approved with the application, as qualified by these development conditions. The conditions of the Development Plan Amendment shall only apply to the building, parking spaces, and other related facilities associated with the fast food restaurant and drive-through located on Lot 75D. Modifications to other uses or portions of the site which do not require a development plan amendment may be permitted as applicable without amending this Development Plan Amendment.
3. This Development Plan Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Development Plan Amendment shall be in substantial conformance with the approved Development Plan Amendment entitled "Development Plan Amendment (DPA), Proffer Condition Amendment (PCA), and Planned Residential Community Plan (PRC) for Chick-fil-A," prepared by Bohler Engineering, dated May 16, 2014, and revised through June 30, 2015, consisting of eleven (11) sheets, and these conditions. Minor modifications to the approved Development Plan Amendment may be permitted pursuant to Par. 8 of Sect. 16-203 of the Zoning Ordinance.
4. Landscaping shall be provided in substantial conformance with the concepts shown on Sheet 6 as determined and approved by the Urban Forest Management Division (UFMD). Any tree or shrub determined to impact existing utility easements or sight distances shall be replaced with an appropriately sized plant or relocated elsewhere on the site with a plant of equal size and quality, as determined by UFMD. Trash cans shall be placed to preclude conflicts with landscaping materials.
5. The building façade shall be generally consistent with the architectural elevations provided on the DPA, in terms of color, building materials, and style. Minor modifications to the color, building materials, and style may be permitted without a DPA when it is determined by the Zoning Administrator that such modifications are in

substantial conformance with the approved DPA and compatible with the primary retail structure.

6. The trash dumpster(s) shall be screened on all four sides. The screening enclosure(s) shall be consistent in terms of color and style with the restaurant building. Doors shall consist of materials which are opaque and fully screen the dumpster(s).
7. The fast food restaurant owner/operator shall be responsible for the daily removal of litter from Lot 75D.
8. All lighting, including security lighting, signage lighting, and pedestrian or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
9. All signage provided on the Property shall comply with Article 12 of the Zoning Ordinance.
10. Parking spaces shall meet the geometric design standards in the PFM, as determined by DPWES, prior to issuance of a Non-RUP.
11. Large-truck deliveries shall be scheduled to avoid morning, noontime, and evening peak hours of operation.
12. A copy of these development conditions shall be posted conspicuously in the restaurant.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Development Plan Amendment shall not be valid until this has been accomplished.